



Date: 21st August 2019
Our Ref: MJR/19.166

David Buckley
Milton Keynes Council
Planning Service
Growth, Economy and Culture
Civic Offices
1 Saxon Gate East
Milton Keynes
MK9 3EJ

SENT VIA EMAIL

Dear Mr. Buckley,

Planning Application 19/01818/OUT

On behalf of our clients Bow Brickhill Parish Council, I am writing to set out their significant objection to the above application.

The Parish Council are extremely disappointed to see that the application has been submitted in advance of the adoption of the Development Brief that **Policy SD14** of Plan:MK requires to be in place before an application is approved. Indeed, preparation of the Brief has been placed on hold until some fundamental and significant issues have been resolved. It would therefore be contrary to the plan to approve the proposals until such time as these problems have been resolved.

Our clients are further concerned by the fact that the proposals are over **46,000 sqm** in excess of the level of development identified within Plan:MK and which formed the basis for the ES Screening Opinion. This is nearly 25% over and above that level. This increase can only be considered to be over development of the site which further emphasises the need for the Development Brief to be adopted formally prior to a decision being made. Indeed, such a significant amount of development will have far reaching impacts including in respect of infrastructure, transport, ecology, archaeology, landscape and amenity.

As such our clients support the Council's position that the proposals require an Environmental Statement to be completed. Indeed, the level of development proposed is significantly in excess of the NPPG threshold of 20ha and there can be no doubt that there will be significant environmental impacts by virtue of its scale and density. Indeed, an ES must also address the cumulative impacts of all the development proposed in the local area and we consider will help residents to fully understand the nature of the impacts of the proposals as well as ensure impacts are fully considered and mitigated. In this regard we note that it is likely that significant amendments will be required to the current planning application in order that it can be made acceptable in policy terms and subject to the Applicants intended course of action we are likely to submit further comments at an appropriate stage

In the meantime we set out below our clients initial objections below based on Plan:MK.

Development Brief

As we have already stated, Policy SD14 requires that a Development Brief is prepared. Until such time as this is adopted it would be contrary to the policy to approve any proposals, indeed, just because a site is allocated for development it does not follow that it should be approved without consideration of all aspects of policy and its impacts. Our clients are therefore of the view that it is premature to approve the application until the substantive outstanding issues have been resolved including the results of the latest transport study has been commissioned. We have submitted our comments separately in respect of the Development Brief and the significant issues that remain outstanding.

The Council formally placed the progress of the Development Brief on hold at a Cabinet Meeting of the 9th July 2019. The minutes of that meeting note:

“the Council is in the process of preparing a brief to carry out additional transport work that will inform the master planning of the three Plan:MK allocations referred to above, as well as the Council’s approach to highways and transport around the south Milton Keynes area. This work will be carried out during 2019”.

It is clear that the additional transport work must factor into the Brief such that a comprehensive approach can be taken to the cumulative impacts of development in this part of Milton Keynes.

Notwithstanding our views on the Development Brief and that there is significant additional information required before it can be adopted, we note that the proposals do not even comply with it in its present draft form. We note a number of the main departures from the brief in its present draft form below:

- The proposals do not comply with the overarching design requirements of Plan:MK or the Brief that are specified within the brief (we consider these below);
- The proposal is 46,000 sqm over the level of development identified in the Development Brief. This level of development makes it very difficult to meet the overarching requirements of Plan:MK;
- The proposal would stifle the ability to provide a railway crossing at the nearby crossing that would meet the requirements of Network Rail. It is likely that the development area will need to reduce in order to facilitate one of these solutions (at appendix 1);
- The requirement to provide a Redway and a number of other transport requirements that are considered in further detail below;
- The development framework plan (figure 3.5) shows an area of “Priority Habitat Area” that has not been incorporated into the proposals. Indeed, the brief requires a “site wide ecological enhancement scheme”. This has plainly not been provided and we note that the Council’s ecologist has significant concerns. It is therefore likely that the proposals will need to significantly reduce the level of development to alleviate the impact;
- The landscape impacts will be far reaching and significant contrary to the brief; and
- There are clearly major archaeological interests that will be impacted upon.

Plainly there are additional outstanding matters that are underway on the Brief, we believe that it is appropriate that these are reviewed again when the Brief has been updated.



Design

With regards to design, we note that by virtue of their scale and density the proposals in their present form are contrary to the overarching aspirations of the Plan. Policy SD1 relates to place making principles for new development, including for the subject site. Given the scale and density of proposals, we consider that they cannot meet these requirements.

Indeed, the proposals:

- do not integrate well with the surrounding built and natural environments;
- do not relate well to the surrounding area in terms of density, scale and materials, with positive site features, views and vistas incorporated into and used to structure the new development;
- detract from the character of the area within which it is located;
- impacts on the road network have not been thoroughly identified nor mitigated; and
- does not result in a net gain in biodiversity through use of strategic, connected green infrastructure, in line with policies NE1-6 and does not ensure consideration is given to the historic environment in accordance with HE1

Policy D1 Designing a High Quality Place, indicates that development proposals will be permitted if they meet the following objectives/principles:

- the development proposals as a whole respond appropriately to the site and surrounding context.
- continuity of street frontage and locating fronts of buildings to face the street or public space; and
- soft and hard landscaping that continues the verdant and green character of Milton Keynes, enhances the quality of the public realm, is robust to the demands placed upon the public realm, and is appropriate to their context and can be maintained and managed without significant whole life-costs.

Policy D2 Creating a positive character requires that development proposals will be permitted if they meet the following objectives/principles:

- the layout, massing/scale, boundary treatments and landscaping of a development and appearance of buildings exhibit a positive character or sense of place for a development;
- the character of the development is locally inspired where appropriate;
- where there is no positive built form character on the site or surrounding area, new development is designed to create its own distinctive character or sense of place using existing site features, the layout of the development and the appearance of buildings; and
- the design allows for visual interest through the careful use of detailing, where this is appropriate to the character of the area.

Similarly, Policy D5 requires that all proposals create and protect a good standard of amenity for buildings and surrounding areas. Given the density of development and approach set out within the Design and Access Statement the proposals cannot be considered to meet policies D1, D2 nor D5.

Transport / Highways

Our clients have significant concerns over the highways impact, they have commissioned transportation consultants to advise them separately on this. Given the scale of the impacts and the necessity to commission consultants to undertake the work at the expense of the Parish, the submission will follow separately in due course.



However, whilst the consultants are providing a detailed analysis, they have provided the following interim comments to the Parish and do not consider that the proposals meet Plan:MK policy C2 in their present form. Currently proposals:

- do not integrate into existing sustainable transport networks and do not have an inappropriate impact on the operation, safety or accessibility to the local or strategic highway networks;
- do not mitigate impacts on the local or strategic highway networks, arising from the development itself or the cumulative effects of development, through the provision of, or contributions towards necessary and relevant transport improvements including those secured by legal agreement;
- prejudice the future development or design of suitable adjoining sites; and
- will result in inappropriate traffic generation or compromise highway safety

Miles White Consultants note the following considerations:

Station Road/Brickhill Street Mini-Roundabout

- The TA applies an “intercept correction” to the ARCADY model to reflect observed queues, which have been sourced from the TA Addendum for the Levante Gate site (refused planning permission recently) rather than using data recently collected by the consultant.
- This is a response to the excessive queuing and delays forecast when the mini-roundabout is modelled in the normal manner.
- This leads the consultant to conclude that the mini-roundabout will perform satisfactorily even with the development in place and that no improvement works are required.
- There is no mention of the impact that the 40% of HGV traffic that will route through this junction will have.

Parking

The level of development proposed could equate to over 3,735 people being employed on site (Employment Density Guide: 2nd Edition) whilst there are just 2,557 parking spaces provided. There is significant concern that there will be a major overspill of parking on local roads.

Level Crossing

The applicant proposes a new Redway across the level crossing. This is achieved by removing one of the two northbound traffic lanes. The effect this has upon the operation of the above junction is not addressed.

The TA uses queue count data from one day only that identifies a maximum queue in the AM peak of 45 vehicles to the south along Brickhill Street when the level crossing is shut. In the PM peak hour there is a queue of 136 vehicles to the north.

The length of these queues (assuming 6m per vehicle) is shown below in red (south) and yellow (north).



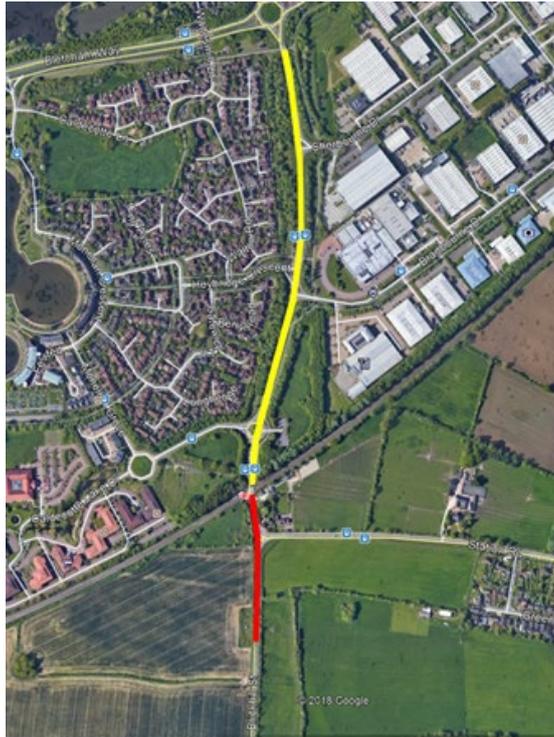


Figure 1: Queue lengths

The TA concludes that the development will “only” add 3 or 4 vehicles during the peak hours to the existing queueing (identified in the SPD as an important concern to local people) and so no solution is proposed. Moreover, there is no analysis of the number of HGV’s queueing nor the likelihood that the level crossing will be shut more frequently in the future as a result of the East West Rail project.

Grid

Policy SD14 clearly states that the development must accord with several principles, one of which is that Brickhill Street is upgraded to grid road standard. The TA states in 4.5 that there are no defined standards for a grid road. However, Policy CT8 in Plan:MK states that grid road reservations in non-residential areas should be 60m.

The application proposes improvements to Brickhill Street between the A5/Watling Street roundabout and the proposed site access roundabout but these do not appear to accord with the grid road reservation identified above.

The Consultation SPD (March 2019) states at para 3.5.5 that this section of Brickhill Street should be upgraded to grid road standard. Para 6.58 of the TA brushes aside this policy requirement and simply says that Brickhill Street will not be updated to grid road stand following a “detailed assessment of the road safety records, the existing geometry, existing traffic flows, and the traffic impact of the proposed development”.

Redway

A Redway is proposed along the western side of Brickhill Street from the A5/Watling Road Roundabout to the proposed access roundabout. From there it routes through the site and reappears at the level crossing. The TA accepts that this detour adds 400m or 2 minutes to a cycle journey.

This does not accord with the SPD (3.5.11), which states that a “new redway will be provided adjacent to Brickhill Street within the grid corridor”.

However, the Redway proposed does not link into the existing network.



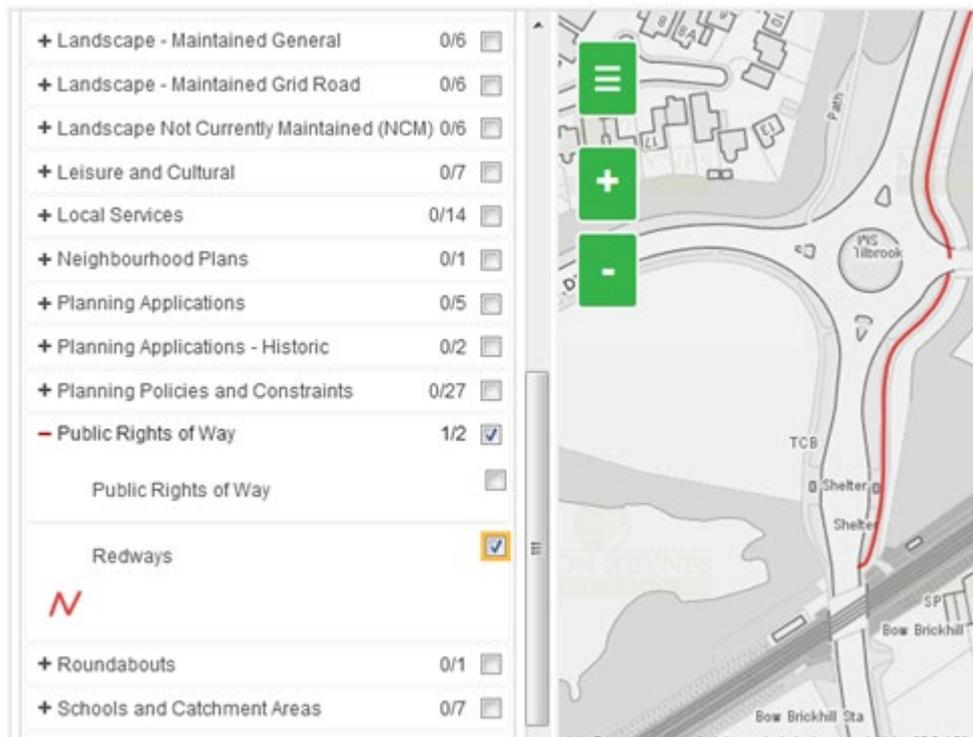


Figure 2: existing Redway

Walton Park Roundabout

Even with the proposed mitigation this junction does not operate within capacity with the development traffic added.

Bus Services

The SPD states that an “enhanced” bus service should enter the site. The TA proposes an additional vehicle for the 11/12 service to maintain the existing frequency of 30 minutes (Mon to Sat). This cannot be considered to be an “enhanced” bus service and does not provide a 7-day service as required in the agreed TA Scope (para 1.8 of the TA).

Expressway

One of the main reasons for the delay in the progression of the brief is for the Council to consider the route of the future Expressway, this could require elements of the site.

Railway crossing

There are already significant delays at the Bow Brickhill Rail crossing with the gates closed for 14 to 15 minutes per hour. This excludes freight trains and in any event is expected to double by 2024 when the upgrade works are complete. Given the existing delays and the fact that this will only increase as train numbers intensifies (with significant flows of traffic towards the railway crossing associated with the development), it seems imperative that any development at the site includes measures to ensure at the very least that the impact doesn’t become any worse due to development, absent this then the proposals would not comply with relevant transport policies within Plan:MK.

It is our understanding that Network Rail have prepared two schemes (at appendix 1) that would meet their requirement these are shown below. Clearly these options would require land to be safeguarded within the site area.

Other technical considerations

Whilst our clients lack the resources to commission further technical consultants (aside from Planning and Transport), however, they raise concerns in a number of key areas that further emphasize the need for an ES and for a development brief to be adopted prior to consideration of an application. These include:

- **Ecology** – given the impacts that the scheme will have (including the loss of the priority habitat) and lack of enhancement / betterment the proposals are contrary to policies NE1 to NE4;
- **Heritage** – there is clearly archaeological interest within the site of a highly significant nature, we do not believe that the proposals fully assess the importance of the interest on site and so a decision cannot be taken that would accord with the NPPF (para 189).
- **Landscape** – it is clear that there will be significant adverse impacts from the proposals, the LVIA confirms that there will be major impacts however indicates that the principle of development has been established. However, we do not believe in its present form it can be considered to comply with policy NE5 which requires that development proposals will need to demonstrate that a number of aspects of landscape character have been conserved and where possible enhanced through sensitive design, landscape mitigation and enhancement measures:
- **Noise & Air Quality** – we are concerned that given the initial concerns on the Transport modelling raised by Miles White Consultants that the Noise Assessment and Air Quality Assessments will also underestimate noise (for instance in respect of HGV movements) contrary to NE6.

Conclusion

Our clients, Bow Brickhill Parish Council are deeply concerned at the scale of proposals and the disregard paid to the policies of Plan:MK. They would like to comment further when / if an ES is prepared for the site however, note that the proposal will require significant amendments and reduction in scale, quantum and density before they are likely to be able to meet the policy requirements. Absent an ES and adopted SPG our clients are of the view that the proposals should be refused.

Should you wish to discuss any of the above, please do not hesitate to contact me.

Yours sincerely,



Michael Rees
Director
LRM Planning Ltd
michaelrees@lrmpanning.com



Appendix 1: Network Rail proposals

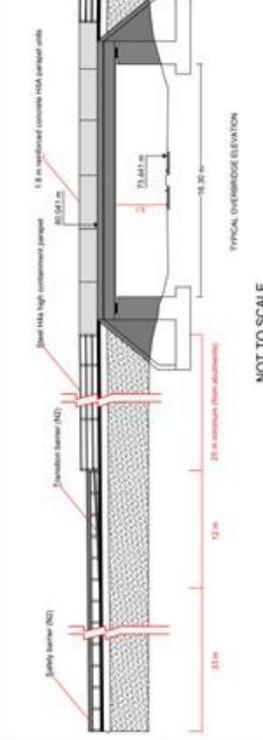
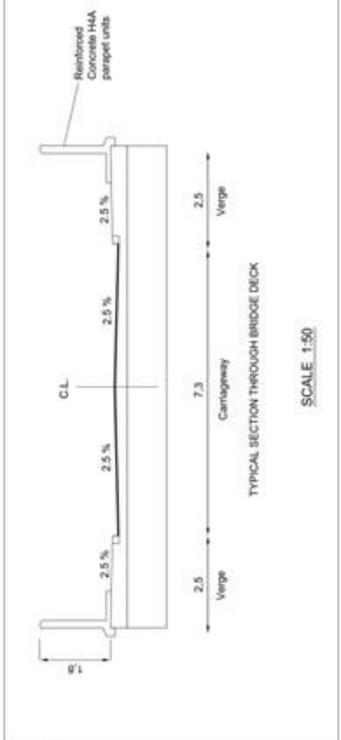




SCALE 1:1500

KEY	Symbol	Description
Existing Alignment	Red line	Existing Alignment
Proposed Alignment	Green line	Proposed Alignment
Existing Footpath	Blue line	Existing Footpath
REB	Black box with 'X'	REB
Proposed Footpath	Orange box	Proposed Footpath
Embankment	Yellow box	Embankment

1:1	1:2	1:5	1:10	1:20	1:50	1:100	1:200	1:500	1:1000	1:2000	1:5000	1:10000
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N.B: Arrangement mirrored about centreline of overbridge.
 N.B: Indicative Vehicle Safety Barrier. Bespoke barrier to be designed for every crossing following the "Road Restraint Risk Assessment" (RRRAP) defined in TD 19/06 in DMRB.

NOTES:

- 1-Bridge deck is 6.60 m above rail level with assumed headroom of 5.1 m and deck thickness of 1.5 m
- 2-Embankment slope to bridge is assumed to be 1:2 (vertical:horizontal)
- 3-Highway approach slope to bridge is considered to be 6%
- 4-The design speed for horizontal alignments is assumed to be 70 kph (40mph speed limit) after assessment of road signs and general features.
- 5-Ground assumed to be flat in terms of calculation of earthworks.
- 6-Road access to be provided to rail track for maintenance/inspection reasons

Issued for Information	
Drawn	AKP
Checked	SR
Approved	20/11/2016 (see also SOCRAL 4.1, Item 1, 4.1)
Project No.	35113796A
Revision	01

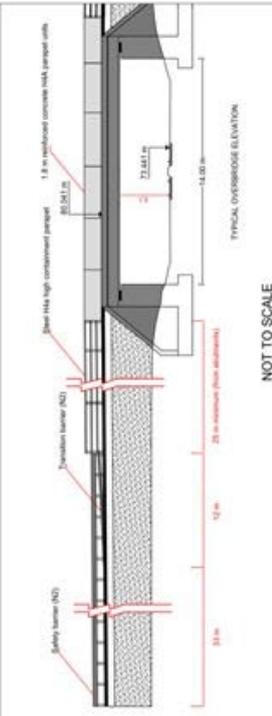
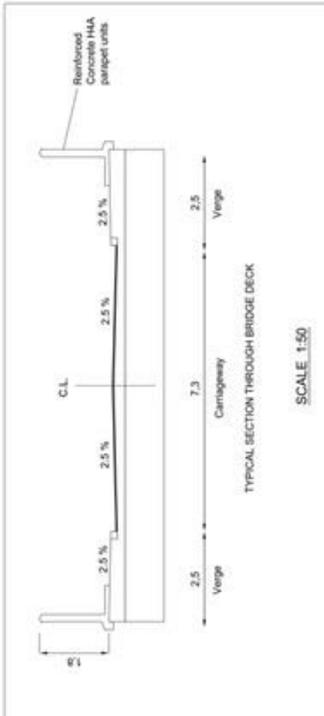




SCALE 1:1000

KEY

	Existing Alignment
	Proposed Alignment
	Existing Footway
	REB
	Power Lines
	Embankment



N.B. Arrangement mirrored about centreline of overbridge.
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DRAFT

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Author	...
Check	...
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Project	...
Sheet No.	251378WA
Sheet Title	BRP220501 01

East West Rail
 Bow Brickhill Level Crossing Option 1

